

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 05-80213

v.

Honorable Nancy G. Edmunds

ARONE MCCONER,

Defendant.

**ORDER GRANTING DEFENDANT'S MOTION FOR
EARLY TERMINATION OF SUPERVISED RELEASE [97]**

Defendant Arone McConer was found guilty on four counts in March of 2006. (ECF No. 58.) He was ultimately sentenced to an 84-month cumulative term of imprisonment to be followed by eight years of supervised release. (ECF No. 96.) McConer was released from prison in July 2015 and his supervised release is scheduled to end in about a year-and-a-half (July 2023). He moves for early termination of supervision because he has children that live out of state that he would like to visit freely. (ECF No. 97.) He states that he has stayed out of trouble and is no longer in any need of the services probation has to offer. (*Id.*) McConer's probation officer states that McConer is a good candidate for termination of supervised release. McConer resides with his mother in Detroit, is employed by his family's business doing property management, and has no violations that need to be brought to the Court's attention.

The Court may terminate a term of supervised release at any time after the expiration of one year of supervised release if the Court "is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice." 18 U.S.C.

§ 3583(e)(1). Additional factors to consider are the sentencing factors in 18 U.S.C. § 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), (a)(6), and (a)(7), though the Court need not “recite any ‘magic words’ explaining whether and how” it weighed those factors or considered relevant policy statements. 18 U.S.C. § 3583(e); *United States v. Suber*, 75 F. App'x 442, 444 (6th Cir. 2003). “Early termination of supervised release is a discretionary decision that is only warranted in cases where the defendant shows changed circumstances . . .” *United States v. Atkin*, 38 F. App'x 196, 198 (6th Cir. 2002) (citing *United States v. Lussier*, 104 F.3d 32, 36 (2d Cir. 1997)).

Here, the Court finds McConer’s circumstances and the interests of justice warrant early termination of his supervised release. McConer has completed over 80 percent of his eight-year term of supervised release and has shown changed circumstances in that he is gainfully employed and has received no serious violations during that time. The relevant sentencing factors also weigh in favor of termination of supervised release. For these reasons, McConer’s Motion for Early Termination of Supervised Release (ECF No. 97) is GRANTED.

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: February 4, 2022

I hereby certify that a copy of the foregoing document was served upon counsel of record on February 4, 2022, by electronic and/or ordinary mail.

s/Lisa Bartlett
Case Manager